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SUBJECT: UGANDA: PEOPLES' REDEMPTION ARMY SUSPECTS GRANTED AMNESTY

REFERENCE: KAMPALA 2110
KAMPALA 0689
KAMPALA 0367
KAMPALA 1089

Summary

11. Nine treason suspects allegedly members of the Peoples Redemption Army (PRA) were granted Amnesty on July 5. The suspects are part of the first group of 23 suspects arrested in Ituri Province in the Democratic Republic of Congo (DRC) in March 2003. Meanwhile, the High Court failed to produce in court for bail hearing of the second group of nine suspects who were arrested in 2005 and charged alongside Forum for Democratic Change (FDC) opposition leader Kizza Besigye. The granting of Amnesty to the first group of suspects confirms reports of GOU intentions to force suspects to apply for amnesty rather than prosecute them due to lack of evidence. The prolonged detention and delays in the justice system for the two groups remain of great concern. End Summary.

Suspects Granted Amnesty

12. On July 5, nine of the first group of 23 PRA treason suspects was granted amnesty. The suspects, who are civilians except for a UPDF soldier, were detained at Makindye Military Barracks since March 12003. The group appeared in the General Court Martial (GCM) on April 16, 2003 and was charged with treason. The suspects appeared in the GCM three times in November 2005; February 2006; January 2007; until the nine sought amnesty on July 5. Of the 23 suspects, seven others have taken amnesty, two allegedly died in custody while five remain detained. Of the 22 suspects in the second group charged alongside FDC's opposition leader in November 2005, 12 have taken amnesty.

Prison Fails to Produce PRA Suspects

13. Meanwhile, on July 9 authorities in Bushenyi District failed to produce two PRA suspects for bail hearing in Mbarara High Court. Defense counsel David Mpanga told Emboff that the authorities would not produce the suspects saying the production warrants were issued late. Mpanga said the government is not about to release the PRA suspects, and appears to be bent on using all means possible to circumvent the justice system. He said they plan to lodge a formal protest over the way their clients have been treated. The next hearing of the suspects bail application is scheduled on July 24. The suspects are currently detained in Luzira Prison, Kampala.

14. Earlier, in another PRA case on July 4 prison authorities in Arua District failed to produce seven PRA suspects for hearing of their bail application. The District State Attorney informed Arua Court that he did not have instructions on the matter and therefore

was not in position to proceed. The Arua Prison Officer in turn informed Court that heavy rains had "de roofed" the prison and that some prisoners, including the PRA/murder suspects had been transferred back to Luzira prison. He said that is reason the PRA suspects could not attend the court session in Arua.

15. The defense lawyers protested why the government did not notify them before they traveled to Arua nor inform Court about the changes. Caleb Alaka, one of the defense lawyers told Emboff that he was in Arua and that it was not true that the prison had been de-roofed as claimed by the prison authorities. He said the reason why the suspects were not produced was because the court in Arua would have released the suspects on bail. The suspects are currently in detention in Luzira prison. The next bail application hearing is scheduled on July 30.

Comment

16. The continued detention of the PRA suspects, despite the High Court ruling to release them on bail and the state interference in the justice process remain of great concern. It is quite clear that GOU is not interested in prosecution but wants to keep the suspects in jail until they apply for amnesty. End Comment.
BROWNING